

## EXHIBIT D

## Aisha Bembry

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**From:** Aisha Bembry  
**Sent:** Thursday, December 10, 2015 5:25 PM  
**To:** 'Haefele, Robert'  
**Cc:** SCarter1@cozen.com; Tarbutton, Scott; Jim Kreindler (JKreindler@kreindler.com); Andrew Maloney [AMaloney@kreindler.com]; Goldman, Jerry; Eric L. Lewis; Waleed Nassar  
**Subject:** RE: Discovery to MWL-IIRO

Dear Robert,

Thank you for your participation in yesterday's meet and confer, which you had suggested as an opportunity for the parties to attempt to agree on the exchange of information with respect to the documents that we have questioned and potentially obviate the need to prepare responses to formal discovery requests.

Further to our discussions, we again note that we have produced to Plaintiffs the information specified in the third paragraph of the Court's November 3 Order, namely: (1) employment records of the discernable authors of the documents in question; and, (2) records relating to the dates of the MWL and IIRO Peshawar office closures. During our call, we offered to provide you with the specific Bates ranges of those documents. Additionally, we offered to provide a detailed list of the numerous errors and irregularities identified within the documents that militate against their purported authenticity, with supporting evidence that would include sworn statements from our client representatives, on the condition that Plaintiffs agree not to provide that information to the source(s) of the documents in question. As discussed, you would be free to provide that information to any consultant (other than the source(s)) so long as anyone who receives the information agrees not to reveal it to the source(s). This would provide you with the flexibility you indicated you required, as you had indicated that "Attorneys Eyes Only" as originally suggested would overly restrict your ability to take steps that you viewed as required. At the same time, it would avoid our concern that the source(s) of the documents could use this detailed information to remedy the defects we have identified and forward new documents where the flaws would be less patent.

Based on discussions during yesterday's call, it is our understanding that Plaintiffs would not agree to provide any information to MWL and IIRO concerning the "provenance" of the documents, despite our position that the Court's November 3 Order so directed. In particular, during the call, you declined to provide (i) the identity of the source(s) of the documents in question; (ii) the manner in which the source(s) obtained the documents; or (iii) the date(s) when the documents were provided to Plaintiffs. You asserted that Plaintiffs are entitled to withhold information in their possession concerning each of these three areas of inquiry based on the work product doctrine. If I have misstated Plaintiffs' position or Plaintiffs' position on these issues have evolved since our call, please let me know as soon as practicable.

Since the parties were unable to resolve their differences during yesterday's call, we look forward to receiving Plaintiffs' responses to the interrogatories propounded on November 18th. During the call you requested an extension until January 11, 2016 to respond to those interrogatories. Defendants will agree as a courtesy to the requested extension, provided MWL and IIRO are provided the same courtesy and Plaintiffs will agree to an extension until January 25, 2016 for MWL and IIRO to respond to Plaintiffs' December 1st interrogatories and document requests. Please let me know if we have an agreement regarding the dates by which each side must respond to the recently propounded discovery requests.

Best regards,  
Aisha

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**From:** Haefele, Robert [mailto:rhaefele@motleyrice.com]  
**Sent:** Tuesday, December 08, 2015 4:06 PM  
**To:** Aisha Bembry  
**Cc:** SCarter1@cozen.com; Tarbutton, Scott; Jim Kreindler (JKreindler@kreindler.com); Andrew Maloney [AMaloney@kreindler.com]; Goldman, Jerry  
**Subject:** RE: Discovery to MWL-IIRO

Hi Aisha – we were sort of confirmed, except now one of the members of my side has a conflict for the 3:00 time slot. Any chance we can move it up to 2 pm?

**Robert T. Haefele** | Attorney at Law | Motley Rice LLC  
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**From:** Aisha Bembry [mailto:aisha.bembry@lewisbaach.com]  
**Sent:** Tuesday, December 08, 2015 2:30 PM  
**To:** Haefele, Robert <[rhaefele@motleyrice.com](mailto:rhaefele@motleyrice.com)>  
**Cc:** SCarter1@cozen.com; Tarbutton, Scott <[starbutton@cozen.com](mailto:starbutton@cozen.com)>; Jim Kreindler (JKreindler@kreindler.com) <[JKreindler@kreindler.com](mailto:JKreindler@kreindler.com)>; Andrew Maloney [AMaloney@kreindler.com] <[AMaloney@kreindler.com](mailto:AMaloney@kreindler.com)>; Goldman, Jerry <[jgoldman@andersonkill.com](mailto:jgoldman@andersonkill.com)>  
**Subject:** RE: Discovery to MWL-IIRO

Robert, are we confirmed for 3 pm tomorrow?

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**From:** Aisha Bembry  
**Sent:** Saturday, December 05, 2015 2:23 PM  
**To:** Haefele, Robert  
**Cc:** SCarter1@cozen.com; Tarbutton, Scott; Jim Kreindler (JKreindler@kreindler.com); Andrew Maloney [AMaloney@kreindler.com]; Goldman, Jerry  
**Subject:** Re: Discovery to MWL-IIRO

Wednesday at 3 pm works for us.

Aisha

Sent from my iPhone

On Dec 4, 2015, at 6:45 PM, Haefele, Robert <[rhaefele@motleyrice.com](mailto:rhaefele@motleyrice.com)> wrote:

Aisha – we can be available Wednesday after 2 pm. Please let us know if that still works for you. Thanks. Have a good weekend.

**Robert T. Haefele** | Attorney at Law | Motley Rice LLC  
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**From:** Aisha Bembry [mailto:aisha.bembry@lewisbaach.com]  
**Sent:** Thursday, December 03, 2015 12:38 PM

**To:** Haefele, Robert <[rhaefele@motleyrice.com](mailto:rhaefele@motleyrice.com)>  
**Cc:** SCarter1@cozen.com; Tarbutton, Scott <[starbutton@cozen.com](mailto:starbutton@cozen.com)>; Jim Kreindler <[JKreindler@kreindler.com](mailto:JKreindler@kreindler.com)> <[JKreindler@kreindler.com](mailto:JKreindler@kreindler.com)>; Andrew Maloney <[AMaloney@kreindler.com](mailto:AMaloney@kreindler.com)> <[AMaloney@kreindler.com](mailto:AMaloney@kreindler.com)>; Goldman, Jerry <[jgoldman@andersonkill.com](mailto:jgoldman@andersonkill.com)>  
**Subject:** RE: Discovery to MWL-IIRO

Robert,

Further to your letter to me dated December 1st, we are available for a conference call next Wednesday afternoon (December 9th). If that day does not work for everyone, we also have some availability on Tuesday or Thursday next week. Please let us know if Wednesday afternoon (any time after 1 pm) works on your end and if not what options would work on either Tuesday or Thursday.

Regards,  
Aisha

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**From:** Haefele, Robert [<mailto:rhaefele@motleyrice.com>]  
**Sent:** Tuesday, December 01, 2015 5:37 PM  
**To:** Aisha Bembry  
**Cc:** SCarter1@cozen.com; Tarbutton, Scott; Jim Kreindler ([JKreindler@kreindler.com](mailto:JKreindler@kreindler.com)); Andrew Maloney [[AMaloney@kreindler.com](mailto:AMaloney@kreindler.com)]; Goldman, Jerry  
**Subject:** Discovery to MWL-IIRO

Dear Aisha – Please see attached discovery requests regarding the “Documents in Question.” These requests are being propounded upon you for your clients MWL and IIRO. Please note that the file labeled as Exhibit A is attached to the hard copy of both the Document Requests and Interrogatories, but I have attached only one copy of the file to this email.

Regards,

**Robert T. Haefele** | Attorney at Law | Motley Rice LLC  
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